

Judge Zilly

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OUR MONEY OUR TRANSIT, AND
ROBERT MACHERIONE,

Plaintiffs,

v.

FEDERAL TRANSIT ADMINISTRATION;
PETER M. ROGOFF, in his official capacity as
Administrator, Federal Transit Administration;
and RICHARD F. KROCHALIS, in his official
capacity as Regional Administrator, Federal
Transit Administration Region X Office,

Defendants,

CASE NO. C13-1004TSZ

**SECOND STIPULATION FOR
ORDER RENOTING CROSS-
MOTIONS FOR SUMMARY
JUDGMENT AND MODIFYING
BRIEFING SCHEDULE; ORDER
THEREON**

WHEREAS on January 31, 2014, this Court filed an order establishing the operative briefing schedule for cross-motions for summary judgment to be filed in the above-captioned lawsuit (Dkt. # 28); and

WHEREAS on March 17, 2014, the parties stipulated to a two-week extension of this briefing schedule;

WHEREAS on March 21, 2014, based on a stipulation of the parties, the Court extended the briefing schedule as requested (Dkt. # 38); and

WHEREAS counsel for defendants Federal Transit Administration has since been requested to undertake a training assignment on short notice and, as a consequence, will be

unable to complete defendant Federal Transit Administration's reply memorandum by the presently calendared date of May 9, 2014; and

WHEREAS counsel for defendant Federal Transit Administration therefore requests a further one week continuance of the briefing schedule, and a renoting of the parties' cross-motions for summary judgment to May 16, 2014, and

WHEREAS no party objects to this request

NOW THEREFORE the parties, through their respective counsel of record, do hereby stipulate and agree that the Court may make and enter the following order:

1. The pending cross-motions for summary judgment shall be renoted on the Court's calendar for Friday, May 16, 2014.

2. The existing briefing schedule for the parties' cross-motion for summary judgment, as established by this Court's order of January 31, 2014 (Dkt. # 28), and modified by this Court's order of March 21, 2014 (Dkt. # 38), is hereby further modified as follows:

a. The noting date on the pending cross-motions for summary judgment shall be renoted for May 16, 2014; and

///

///

///

///

///

///

///

///

///

///

b. Defendants Federal Transit Administration and Lane Transit District shall file and serve their reply briefs in support of their respective cross-motions for summary judgment by May 16, 2014.

SO STIPULATED.

DATED: May 2, 2014.

YARMUTH WILSDON PLLC

By: s/ Kristina S. Bennard

Kristina S. Bennard
818 Stewart Street, Suite 1400
Seattle, WA 98101
Telephone: 206-516-3831
E-mail: kbennard@yarmuth.com

VENABLE LLP

Kathryn Kusske Floyd (admitted pro hac vice)
Jay C. Johnson (admitted pro hac vice)
Margaret K. Kuhn (admitted pro hac vice)
575 7th Street, N.W.
Washington, D.C. 20004
Telephone: 202-344-4000
E-mail: kkfloyd@venable.com
jcjohnson@venable.com
mkkuhn@venable.com

Attorneys for Plaintiffs

///

///

///

///

///

///

///

///

1 SO STIPULATED.

2
3 DATED: May 2, 2014.

4 **HOLLAND & KNIGHT LLP**

5
6 By: s/ Louis A. Santiago
Louis A. Santiago (WSBA #23682)
7 Holland & Knight LLP
111 S.W. Fifth Avenue
8 2300 U.S. Bancorp Tower
Portland, OR 97204
9 Telephone: 503-243-2300
E-mail: louis.santiago@hklaw.com

10 Attorneys for Intervenor Lane Transit District

11 Of Counsel for Intervenor Lane Transit District:

12 Rafe Petersen
13 Jeffrey Boothe
Lawrence Liebesman
14 Holland & Knight LLP
800 17th Street, N.W. Suite 1100
15 Washington, D.C. 20006
Telephone: 202-955-3000
16 E-mail: rafe.petersen@hklaw.com

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

1 SO STIPULATED.

2
3 DATED: May 2, 2014.

4 JENNY A. DURKAN
5 United States Attorney

6
7 By: s/ Brian C. Kipnis
8 Brian C. Kipnis
9 Assistant United States Attorney
10 Office of the United States Attorney for the
11 Western District of Washington
12 5220 United States Courthouse
13 700 Stewart Street
14 Seattle, WA 98101
15 Telephone: 206-553-7970
16 E-mail: brian.kipnis@usdoj.gov

17 Attorneys for Defendants

18
19
20 **ORDER**

21 IT IS SO ORDERED.

22 DATED this _____ day of _____, 2014.

23
24
25
26
27
28
THOMAS S. ZILLY
Senior United States District Judge